



W.P.(MD) No.1239 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.1239 of 2020

Darling Shiyamala

.. Petitioner

Vs.

1.The Revenue Divisional Officer,
Madurai North,
Madurai.

2.The Tahsildar,
Madurai North Taluk,
Madurai.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to make enquiry of the petitioner's petition in O.MU.No.P /3167 / 2019 with respect of her 1 Acre of property in survey 34/3A1B old survey No.175/3 of Siruthur Village, Madurai North, Madurai District, within a specified period.

For Petitioner : Mr.KA.Raamakrishnan

For Respondents : Mr.A.Sivanupandian
Government Advocate



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ORDER

The petitioner has invoked the Writ jurisdiction seeking issue of a Writ of Mandamus directing the respondents to make an enquiry into the petitioner's petition in O.MU.No.P/3167/2019.

2. The petitioner had made a representation to the respondents on 29.11.2016 seeking subdivision of her property and for issuing a separate patta in her name. The objection raised by one Gulab Beevi @ Jaiboon Beevi had been dismissed against her and the appeal had also ended in a dismissal. Therefore, since there was no impediment to the subdivision or grant of patta, the petitioner had made the aforesaid representation. However, the respondents have not proceeded to subdivide the property and grant patta. Therefore, the petitioner was constrained to file a writ petition in W.P.(MD) No.17011 of 2017 for a direction to the respondents to subdivide the property. This Court had directed the respondents to consider the petitioner's representation dated 08.09.2017. Thereafter, the petitioner had conveyed the said order to the respondents who sent a



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reply on 24.01.2018 stating that the persons who seek to be included have not produced any document to substantiate the same and called upon the petitioner to submit records. The petitioner had immediately sent a detailed representation/legal notice dated 10.03.2018 which was with the relevant records and there was no response from the respondents. Thereafter, once again the petitioner has made a representation on 17.05.2019 with all the requisite documents to the respondents. The first respondent, on receiving the representation, had sent a communication on 27.05.2019 stating that the petitioner's representation has been forwarded to the second respondent in O.MU.No.P/3167/2019 for necessary action. However, even this has not evoked any response. Therefore, the petitioner has come forward with the present writ petition.

3. Considering the limited scope and on hearing the learned counsel for the petitioner and the learned Government Advocate for the respondents, this Court is allowing this Writ Petition, since the petitioner has submitted all the relevant documents with a direction to the



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respondents to subdivide and grant patta to the petitioner as forwarded by the first respondent to the second respondent in O.MU.No.P/3167/2019 within a period of four weeks from the date of receipt of a copy of this order. No costs.

07.03.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes

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To

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P.T.ASHA, J.

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